

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S) : Maria PALASIS  
SERIAL NO. : 09/760,807  
FILING DATE : January 17, 2001  
FOR : THERAPEUTIC DELIVERY BALLOON  
EXAMINER : Loan H. THANH  
GROUP ART UNIT : 3763

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Declaration Under 37 C.F.R. § 1.132 Traversing Rejection**

I, Maria Palasis, do hereby declare the following for the purpose of furthering the prosecution of application no. 09/760,807 ("the Application"), filed on January 17, 2001.

The Application is entitled "Therapeutic Delivery Balloon," and is directed to systems and methods for delivering therapeutic to an irregular interior vessel surface.

I am submitting this Declaration in response to the Office Action's contention that the drawings filed on November 15, 2004, introduce new matter. Specifically, the Office Action contends that "the original disclosure does not support the showing of grooves as characterized in the amended figure 5."

Paragraph 25 of the Application states that not only can the material from which the balloon is made be hyper-deformable, but that "the actual configuration of the balloon may also make it hyper-deformable. For example, the balloon may be internally ribbed or notched or otherwise specifically configured to increase its deformability and, thus, make it readily comfortable to its surroundings in an expanded state." (emphasis added) Thus, the Application specifically states that the interior of the balloon may be specially configured to increase its deformability. I intended this to mean, and one of skill would read this to mean, that an inside

surface of the balloon may contain multiple ribs, notches, or other configurations that increase the deformability of the balloon.

I disclosed these multiple notches or ribs by using the plural form of "rib" or "notch." Likewise, as the application describes using these features to make the balloon more flexible, one of skill would read this to mean that more than a single configuration of grooves or notches may be used. These configurations can include notches and ribs that form grooves with parallel walls and square bases as shown in the Amended Fig. 5 as well as other configurations, such as "V" notches and "U" notches.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor : Maria PALASIS

Inventor's signature : 

Date : 5/17/05

Residence :

Citizenship : US citizen

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